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THE NEW INDIAN COUNCILS

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The past few years have witnessed a remarkable extension of the principles of representation and self-government among the peoples of Eastern Asia. In the Philippines we gave the qualified voters control of the municipal governments in 1901, of the provincial boards in 1907, and in that year inaugurated the Philippine Assembly, a lower house composed solely of the representatives of the people. This was an experiment unique in the history of tropical dependencies. In the Netherlands Indies municipal councils were created in 1906 and provincial councils of officials and nominated members a few years later. In China local self-governing bodies and provincial assemblies were established in 1907, and a national assembly or senate, half of whose members were elected, was convened in Peking in 1910. These measures, however, proved to be premature. And in 1912 elected representatives for the first time sat in the Legislative Council of Ceylon.

The period was also marked by important changes in the constitution of the Indian legislatures, and three new provincial councils were created. These changes or reforms originated concretely in a minute of Lord Minto, the Governor-General, in 1906, which reviewed the political situation in India. The subject was carefully considered in the Governor-General's Council, the opinions of the local government were sought, and finally the Secretary of State for India passed upon the proposals. In 1909 an Act of Parliament, in general terms, provided for the new councils, while the regulations were drawn up by the Indian authorities, and in 1910 the reformed councils sat for the first time.

These councils were the Council of the Governor-General of India (popularly known as the Imperial Council) and the

provincial councils of Madras, Bombay, Bengal, the United Provinces, Eastern Bengal and Assam, the Punjab, and Burma. The presence of non-official members in the Imperial Council and in the councils of Madras and Bombay dated from 1861. The other provincial councils were established in Bengal in 1862, the United Provinces in 1886, the Punjab, and Burma in 1898, and in Eastern Bengal and Assam in 1905. The Indian Councils Act of 1892, the last important statute before the Act of 1909, enlarged the councils slightly and introduced the principle of recommendation of members by specified interests, such recommendation however having to be approved by the executive. Prior to the reforms of 1909 the Imperial Council was composed of twenty-four members, excluding the Governor-General. Of them fourteen were officials, five were recommended by the non-official members of the legislative councils of Madras, Bombay, Bengal, and the United Provinces, and by the Calcutta Chamber of Commerce, and five were nominated by the Governor-General. It was possible to increase the number of nominated members at the expense of the official delegation. Of the twenty-four members eight were generally natives of India. The provincial councils varied in size from nine to twenty-three, and except in the case of the Punjab and Burma they contained recommended as well as nominated members.

The object of the reforms of 1909 was to secure the advice and support of representatives of the important classes of the Indian peoples. The progressive legislation came as an interlude in a period of revolutionary propaganda and anarchistic outrages. On the one hand government repressed with all its power the criminal minority, and on the other it conferred enlarged opportunities for self-expression upon the representatives of the people. The names of Lord Minto and Lord Morley will always be associated with these reforms.

Although the object of the reform was evident the method of attaining it was not easily worked out. A simple alteration in the councils would have been the creation of a bicameral system, one house representing the govern-

ment and the other the people. Or, again, some method of real representation might be provided, or a reduction in the number of official and nominated members. That the matter was given serious consideration is evident from the two large volumes of correspondence published in 1908. The change as finally adopted took the form of an enlargement in the size of the councils, the introduction of the principle of election, provision for Muhammadan electorates, and the creation of unofficial majorities in the provincial councils.

The details of these reforms are too intricate for any but the most general summary. A parliamentary paper of 459 pages contains the regulations for the election of members and the rules for the transaction of business. From this mass of detail the following general statements may be gained.

The councils were greatly enlarged. Before 1910 the eight councils contained 138 members, but under the new regulations the number reached 344, with a possible maximum of 383. At this point it should be said that it is very difficult to use figures accurately in describing these councils because of the practice of not keeping the provincial councils up to their maximum, the slight changes in membership which have occurred since 1910, and the creation of new provincial councils. Except as expressly noted the statements in this article refer to the councils as constituted under the regulations of 1909. The Imperial Council was increased from twenty-four to sixty-seven, the Madras Council from twenty-three to forty-seven, with a maximum of fifty-three, and the others in proportion.

More important than the enlargement of the councils was the introduction of the principle of election. The old councils contained thirty-nine members "recommended" by certain interests. The new contained 135 elected members. Heretofore a recommended candidate had to receive his appointment from the government, now his election needed no official confirmation. The number of elected members varied in the different councils, there being twenty-five in the Imperial Council, twenty-six in Bengal, but only one in Burma.

The basis of representation proved to be a difficult problem. Instead of a general electorate the system of class electorates was continued. The twenty-five elected members of the Imperial Council included representatives of the non-official members of the seven provincial councils (11), the district councils and municipal committees of the Central Provinces (1), the landholders of Madras, Bombay, Bengal, United Provinces, Eastern Bengal and Assam, and the Central Provinces (6), the Muhammadan community of the first five provinces just mentioned (5), and the chambers of commerce of Bengal and Bombay (2). In the provincial councils seats were provided for representatives of the landholders, the municipal and district boards, the Muhammadan community, the commercial interests and the university. The eleven provincial representatives in the Imperial Council were, therefore, chosen by small groups of men who represented very limited electorates. The electoral qualification of a landholder, in the Imperial Council elections, was very high, being a revenue from land of 5,000 rupees in the Central Provinces and in Eastern Bengal and Assam or as high as 20,000 rupees in portions of Bengal. In certain of the provinces this suffrage was conferred on holders of high native titles. And in the case of the Muhammadan electorates the qualification was either a considerable income, from land or otherwise, the possession of a specified title, decoration, office, or pension, or a fellowship in the local university. In addition to the five Muhammadan members elected regularly, it was provided that at the second, fourth and succeeding alternate elections a second member should be elected by the Muhammadan landholders of the United Provinces and Eastern Bengal and Assam. The whole question of Muhammadan electorates created no little discussion. It was a departure from the old system of class representation. In one way it was a retrogression for it injected religious distinctions into the legislatures. But it was sanctioned as a compromise measure for safeguarding the interests of a large and influential minority.

The above summary indicates how much has been granted

in the nature of representation, and yet how much remained to be done. Neither education nor property nor political experience, of itself, carried with it the suffrage. The only interest that received general recognition was the large landholder. The Hindu merchant or professional man had no recognition. British commerce was recognized through the members elected by the Bengal and Bombay chambers of commerce. In proportion to the millions of Indian peoples the suffrage was enjoyed by an insignificant minority.

A summary of the composition of the provincial councils would be out of the question, for there were many local differences within the general classification already noted. The landholders' qualification was less high than for Imperial suffrage, but still high, and additional classes and interests were allowed representation.

In addition to the elected members the councils contained a small group of nominated members who were designed to represent special interests. They numbered from nine in the Punjab to five in Bengal. The Imperial Council contained seven, and three of these were appointed to represent Indian commerce, and the landholders and Muhammadans of the Punjab, thus meeting the apparent oversight in the elected delegates. And in each provincial council two experts, either officials or non-officials, might be appointed when legislation demanding expert advice was under consideration.

Finally, there was the official element. In the Imperial Council this consisted of seven ex-officio members—the members of the Executive Council, the Commander in Chief, and the Lieutenant Governor of Bengal or of the Punjab when the Council met in either province, eight officials representing the eight major provinces, and twenty nominated officials representing the various government departments. In the local councils the number ranged from six to twenty. These figures have been altered since 1909 by the addition of a sixth member of the Governor-General's Executive Council, the addition of new members to the Executive Councils of Madras and Bombay, and the creation of Executive Councils in Bengal, and Behar and Orissa.

A new feature of the regulations was the creation of non-official majorities in the provincial councils. In the Imperial Council the majority of officials were retained, but in the provinces the combined elected and non-official nominated members were to outnumber the official representation. Although much has been made of this change the importance lies in "direction rather than distance." In every case the official plus the nominated members outnumbered the elected members, and it would rarely happen that a measure could be carried against a united government opposition.

Aside from the changes in the size and character of the councils the legislation of 1909 considerably enlarged their powers.

A member can now demand that the formal answer to a question shall be supplemented by further information. Discussion will no longer be confined to legislative business and a discursive and ineffectual debate on the budget, but will be allowed in respect of all matters of general public interest. Members will in future take a real and active part in shaping the financial proposals for the year; and as regards not only financial matters but all questions of administration they will have liberal opportunities of criticism and discussion and of initiating advice and suggestions in the form of definite resolutions.

These powers were still limited. In the budget debate certain important heads were not open for discussion, notably army revenue and expenditure, state railways and interest on debt, and the framing of questions was still carefully prescribed.

In February, 1910, the enlarged Imperial Council assembled in Calcutta. The terms of the elected and nominated members expired three years later and the second election occurred in December, 1912. There have been five sessions of the Council under the new regulations and although it is too soon to arrive at any definite conclusions, yet it is possible to note how certain features of the reforms have actually worked out in operation. For this purpose the proceedings of the Imperial Council only have been studied, for it is uncertain enough to generalize regarding that body, much more regarding the ten provincial councils with their divergent composition and interests.

The real value of the enlarged council lies in its power of suggestion. The opposition, consisting of a small body of elected Indian members, is powerless to carry its measures. Occasionally one or two European members join with the native opposition, but never has there been a close division of the body. In the debates few members take part. The official member whose department is concerned in the resolution takes a prominent part in the discussion, but aside from this member the discussion is carried on in the main by a small body of critical members of the opposition. Of these Mr. Gokhale, an elected representative of the Bombay Council, is easily the leader. A member of the old Council since 1902 his experience is great and it is not too much to say that he is a match for any European or native member of the Council. The constructive value of the Council has been largely due to the criticisms which Mr. Gokhale has driven home and which have been accepted by the government after the session is over. These criticisms have more weight when presented in the Council chamber than at the sessions of the National Congress or in the columns of the vernacular press. And on the Council proceedings are spread most of the aspirations of the Indian peoples in the restrained phrases of a dignified discussion.

The major interest of the elected members has been in education and sanitation. At every session pleas have been made for enlarged grants for these beneficial services. These have been coupled with criticisms of the cost of the alleged top-heavy administrative system and the burden of military expenditures. In this propaganda Mr. Gokhale is easily the leader. He has consistently pointed out the lack of educational facilities: "seven out of every eight children are growing up in India in ignorance, while the state in every other civilized country has made the free and compulsory education of its children one of its primary duties; four villages out of five in this country are without a school." This plea for educational development has taken the form of requests for enlarged general grants and for special grants to different provinces, for Imperial aid sufficient to enable the provinces to do away with tuition

fees, and, finally, of Mr. Gokhale's resolution for the introduction of free and compulsory primary instruction.

Although none of these resolutions introduced by the native members has carried, yet they have certainly been of influence, for the past few years have seen unparalleled grants from Imperial funds for general education. In 1910 a sixth member was added to the Governor-General's Executive Council to take charge of the Education Department, which was then constituted. This in itself was a great advance. In March, 1911, the sum of £600,000 was granted, out of the opium surplus, for non-recurring expenditure on buildings and equipment, hostels, etc. Later in that year, at the Delhi Durbar, a recurring grant of £333,000 "for the promotion of truly popular education" was announced. To this £67,000 was later added, and a further non-recurring grant of £433,000 was made. And in 1913 the recurring grant was fixed at £367,000 and the non-recurring grant at £2,127,000. With the aid of these grants and the stimulus of the Imperial example the provincial governments may be expected to increase their activities and make a most gratifying progress in educational work. The effect of the present war, which will seriously affect the Indian finances, will probably check if not actually retard this splendid work. The efforts of Mr. Gokhale have been recognized in a most formal manner. Speaking in the Council in 1912 the Finance Member, Sir Guy Fleetwood Wilson, affirmed:

India owes a debt of gratitude to Mr. Gokhale for pressing to the forefront the claims of education. He has been fortunate in being able to do so during the Viceroyalty of one who has education as much at heart as has Mr. Gokhale himself.

In similar fashion enlarged grants have been made for sanitation. Over and above the ordinary expenditures a sum of £380,000 was granted in 1911, £333,000 in 1912, and £1,000,000 in 1913. These were non-recurring grants, but in 1914 a recurring grant of £267,000 was provided.

Probably second in importance to their interest in education and sanitation is the constant scrutiny by the elected

members of proposed increases in expenditure. During the discussion of the financial statement numerous resolutions are presented for the reduction of expenditure in the different departments. These resolutions have no chance of being carried, but they do serve to call attention to any unusual increase in expenditure. The department most severely criticized is the railway administration, and the increase of the percentage of working expenses to gross revenue is constantly commented upon. Frequently it is urged that better results would be attained by State management instead of company management, for in India the unusual situation exists of railways owned by the State and managed by companies. Through the reduction of administrative expenditures, naturally, more money would be available for the great public services of education and sanitation.

Closely allied with the criticism of increased expenditures is the effort to secure the employment of Indians in the higher official positions. In 1912 Mr. Gokhale introduced a series of resolutions for the reduction of expenditure in many of the departments and used each motion as an opportunity for pointing out how few Indians were employed in the higher positions in the respective services. For example, in the Indian Salt Department of thirty officers (excluding Madras) who receive from 500 to 3,000 rupees a month, only three are Indians. And the figures were given for the customs, telegraph and railway departments. In the latter service, according to Mr. Gokhale, "the exclusion of Indians from high office is practically complete, and one way of reducing the working expenses would be to employ Indian agency on a larger scale." Of 820 officers on the State managed railways receiving over 200 rupees a month only forty-six were Indians. Sir T. R. Wynne, the member in charge, replied that Indians had not yet showed their fitness for this work, although the Chief Engineer of the Eastern Bengal State Railway was one. And he made several allusions to the necessity of keeping politics out of the railway service. This reply brought forth from Mr. Gokhale a retort which is suggestive:

If there is one Indian discharging the duties of Chief Engineer, that only shows that if you select the right type of Indians and give them a chance, they will do their work as satisfactorily as anyone else. If people elsewhere, if the Japanese for instance, if other people are managing their railways, I do not see why we should not be able to do so.

Even in the Viceroy's Council the lesson of Japan is being studied.

On another financial question some of the Indian members, led by Mr. Gokhale, have been in opposition to government. This is the question of the reduction of the unproductive debt. Government has stood for the rapid reduction of this debt through the use of the ordinary surplus. Mr. Gokhale advocated a fixed sinking fund and the use of the surplus for beneficial objects, notably sanitation and education. In 1911 the Finance Member promised to consider the question of a fixed sinking fund. The present war expenditures will probably so enlarge the unproductive debt that this question will be relegated to the realm of academic discussions for some little time.

The Indian members have also repeatedly advocated a protective tariff and have complained against the maintenance of Britain's free trade policy in India. This is both a political and an economic issue. There is reason to believe that if the Indian government were free to act it would introduce some measure of protection, which would encourage Indian industries and provide a needed source of revenue. Outside of the Council it has long been a prominent Indian grievance, and in the Council it has frequently been urged.

And another political question which was raised in the first two sessions was that of the partition of Bengal in 1905. In the first session Babu Bhupendra Nath Basu was four times called to order for his criticisms of this action. And in turn the Muhammadan members from the new province testified to the wisdom of the act. At the Delhi Durbar, in 1911, this grievance was remedied by the reconstitution of the provinces in the form of Bengal, Bihar and Orissa, and the Chief Commissionership of Assam.

Some of the good effects of the reformed councils may now be indicated. At the close of the first session Lord Minto summed them up as follows:

But putting aside questions of administrative machinery and the great political considerations involved in the creation of this enlarged Council, I claim for it one happy result. It has brought people together—official and non-official members have met together. The official wall which of necessity to some extent has separated them has been broken down; they have talked over many things together, non-official members from a distance have, not only in our debates but in private conversation, had opportunities of explaining their grievances. Much healthy fresh air has entered this old Council Room, and, speaking on behalf of my colleagues as well as myself, it has been very welcome to us.

And in 1912 his successor, Lord Harding, testified:

Many resolutions of various kinds have been brought forward by non-official members, and their views have been set forth with explicit clearness and much force. The fact that a large majority of these resolutions have been negatived by Government is no reason for regarding these discussions as sterile or a waste of time. On the contrary, I regard them as most beneficial, since not only do they present an opportunity for the Government to hear the views of Honorable Members from every part of the country and thereby to acquire much useful information, but they enable the Government to explain clearly their own views and to give publicity to their reasons for not acceding to them. Government must clearly be a moderating influence and restraining force advancing steadily on the path of reform and development with every care for the varied interests of the millions entrusted to their care.

The reforms have been of prime importance as an indication of the liberal and progressive views of government. The reforms have not been all that was desired, but they have been *reforms*. Much ground remains to be covered, but some progress has been made. The aspirations of progressive natives have in part been satisfied, and there is no reason to believe that they will not receive further recognition from time to time. Even the revolutionaries have lessened their activities, for the attempt on the Viceroy at Delhi on December 23, 1913, must be considered a sporadic outrage.

The granting of more liberal institutions may be counted

upon as a feature of the coming years. To this end the loyal response of representative Indians to the call of the Empire during the present war will probably have a stimulating effect. There are a number of ways in which further reforms may be worked out. The number of elected members may be increased until a majority will be found in every council. The property qualifications for the suffrage may be lowered and the professional and trading classes directly represented. A general educational qualification may be introduced, for the representation of the universities at present is not a representation of graduates, as might be inferred. And with the development of Indian unity, which is one of the phenomena of the present age, the Muhammadan electorates may be merged in general electorates. For although the representation of minorities is desirable, yet religious divisions can not be advocated if any other procedure is available. One criticism of the present composition of the Councils would be that members stand forth as representatives of their class or interest rather than as representatives of the people.

Along some of these lines, therefore, development may be expected. If the British government, with its long experience in Indian affairs, moves slowly, it generally moves surely. There is much food for thought for the student of comparative administration in a comparison of this method with that employed in our Philippine possessions. With our attention centered on Japan and China we have been accustomed to overlook the stirrings of a new India. For that land the future is full of hope. But one sober thought now looms large: what will be the effect, upon her millions of people, of the great conflict into which, for weal or woe, they have been drawn? It is not impossible that immediate loss may result in future gain.